

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SELENE RMOF REO ACQUISITION, LLC,)	CASE NO. 3:11-CV-0837-LRH-VPC
)	
Plaintiff(s),)	MINUTES OF COURT
)	
vs.)	DATE: June 14, 2012
)	
DOUGLAS P. WACHHOLZ; E. RALPH)	
WALKER; LINDA WALKER, INTERNAL)	
REVENUE SERVICE; and DOES 1 through)	
10; and ROES11 through 20 inclusive,)	
)	
Defendant(s).)	
_____)	

PRESENT: THE HONORABLE VALERIE P. COOKE, UNITED STATES MAGISTRATE JUDGE

Deputy Clerk: Dionna Negrete Court Reporter: FTR 1:39:24 - 2:03:35

Counsel for Plaintiff(s): Christopher Hunter, Esq. by telephone

Counsel for Defendant(s): Charles R. Kozak, Esq. for Douglas P. Wachholz; Ralph Walker is present Pro Se.

PROCEEDINGS: CASE MANAGEMENT CONFERENCE

1:41 p.m. Court convenes. The Court admonishes Mr. Wachholz for being late to the hearing.

The Court addresses the parties regarding the purpose of this hearing. The Court notes that the Plaintiffs filed a case management report timely. The defendants did not file a report. The Court admonishes counsel that when an order to file a case management report is rendered counsel shall abide by the order notwithstanding other motions that have been filed.

The Court notes the motions currently pending; Motion to Withdraw as Attorney by Mr. Kozak, [25]; Motion to Stay by Mr. Wachholz [28], and Motion for Sanctions by Mr. Hunter [29]. Mr. Kozak presents argument in support of his motion to withdraw. Mr. Hunter objects to the motion, and any delay it may cause this case to move forward. Mr. Kozak objects to the motion for sanctions and presents argument in support thereof. The Court address the parties and questions Mr. Kozak. IT IS ORDERED that the Motion to Withdraw as Attorney, [25] is GRANTED. IT IS FURTHER ORDERED that the Motion to Stay, [28] is DENIED. IT IS FURTHER ORDERED that the Motion for Sanctions, [29] is DENIED.

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The Court addresses the parties regarding Mr. Wachholz's Motion to Strike Complaint due to Duplicative Paragraph Numbering, [44]. Mr. Hunter represents to the Court that the duplication is a typographical error and can be corrected. Mr. Hunter further responds, and represents to the Court that he can file an amended complaint by tomorrow, June 15, 2012.

Mr. Wachholz represents to the Court that he does not want to proceed pro se and is requesting a thirty day continuance to seek new counsel.

Mr. Walker represents to the Court that he will continue to represent himself pro se. Mr. Walker further informs the Court that he is a retired licensed attorney in Iowa, and works as a legal assistant to Mr. Kozak. Mr. Walker clarifies the duplication in the complaint on the record.

IT IS ORDERED that Mr. Hunter shall file an amended complaint and clarify the number of paragraphs by Friday, 6/15/12. IT IS FURTHER ORDERED there will not be a stay in this case and all parties need to file an answer or otherwise respond in the normal course.

IT IS ORDERED that Mr. Wachholz shall obtain counsel within twenty days from today, by Thursday, July 5, 2012. IT IS FURTHER ORDERED that Mr. Wachholz shall give new counsel the Scheduling Order, [23] which indicates the discovery cutoff date of October 27, 2012, and all other operative dates. Should Mr. Wachholz not obtain counsel timely, he shall proceed accordingly pro se. IT IS FURTHER ORDERED that all defendants shall have twenty days to respond to the amended complaint, by Thursday, July 5, 2012.

Mr. Wachholz represents to the Court that the plaintiff has been contacting his tenant, and requests that the plaintiff be enjoined from contacting his tenant. Mr. Hunter responds and denies the allegation. The Court informs Mr. Wachholz that he would need to file a motion to obtain any injunctive relief before Judge Hicks. The Court advises Mr. Wachholz to contact Mr. Hunter and discuss the issue further to ascertain what is occurring, and try to remedy the situation.

2:03 p.m. Court adjourns.

LANCE S. WILSON, CLERK

By: D. Negrete
Deputy Clerk